



PATENT

Attorney Docket No. MIT-04488

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Douglas P. Hart *et al.*

Application No.: 09/617,556

Filed: 07/17/00

Entitled: Textured Seal For Reduced Wear

Group No.: 3679

Examiner: Binda

AMENDMENT TRANSMITTAL

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 2, 2005

By: Kelly J. Collins
Kelly J. Collins

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | | RATE | ADDITIONAL FEE |
|-----------------------|--|---|--|------------------|---|--------|-------------------|
| Total Claims | 6 | - | 50 | 0 | × | 50.00 | \$0.00 |
| Independent Claims | 1 | - | 5 | 0 | × | 200.00 | \$0.00 |

Small Entity Reduction (50%)

Filing Fee Reduction \$0.00

TOTAL DUE \$0.00

1. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: May 2, 2005

By: Thomas W. Brown
Thomas W. Brown
Registration No. 50,002

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
617/984.0616



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ZWW

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Art Unit: 3679
Examiner: Binda

**RESPONSE TO NOTICE OF NON-COMPLIANT
AMENDMENT MAILED MARCH 30, 2005**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|---|---|
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| Dated: <u>May 2, 2005</u> | By: <u>Kelly J. Collins</u> Kelly J. Collins |

Sir:

In response to the "Notice of Non-Compliant Amendment" mailed on March 30, 2005 the Applicants submit, for entry into the record, the instant Response. Without acquiescing to the objections raised by the Examiner, the Applicants have amended the claims in order to further business interests and expressly reserve the right to prosecute the claims as originally filed (or claims similar thereto) in subsequently filed application(s). The Applicants respectfully submit this amended claim set is compliant with the guidelines set out in MPEP § 821.03.

Pursuant to 37 CFR 1.121(h), the Applicants now only submit the "Amendment to the Claims" portion of the Response filed on December 27, 2004 and, therefore, refer the Examiner to their paper filed on December 27, 2004 for remarks in response to the Office Action mailed on July 27, 2004. The Applicants submit the new claim set included in the instant response introduces not new matter and that all claim elements find support in the specification.

Finally, since the Applicants file the instant Response within the one month shortened statutory period set out in the "Notice of Non-Compliant Amendment" mailed on March 30, 2005; the Applicants submit that no extension fees need be filed with the instant Response. Nonetheless, out of an abundance of caution, the Applicants have (in the attached transmittal papers) authorized the debit, of their representative's deposit account, to fund any fees that may be due in order to file the instant Response.

Amendment To The Claims: begin on page three of this paper.